

IN THE UNITED STATES DISTRICT COURT RECEIVED
FOR THE DISTRICT OF SOUTH CAROLINA CLERK FLORENCE, SC
FLORENCE DIVISION

2006 APR 28 A 8: 08

Marie Assa'ad Faltas,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No.:3:05-3283
)	
South Carolina Supreme Court, solely in)	
its legislative capacity;)	
The State of South Carolina;)	
The City of Columbia;)	
unknown named agents of the City in)	
official capacity; Dana M. Thye;)	
Robert G. Cooper, individually and)	
officially,)	
)	
Defendants.)	
)	

ORDER

The plaintiff, Marie Assa'ad-Faltas ("Plaintiff"), filed the instant action as a *pro se* litigant on November 23, 2005. On January 6, 2006, United States Magistrate Judge Joseph R. McCrorey issued a Report and Recommendation ("the Report") in this case. This matter now comes before this Court for review of the Report. (Doc. #8). In the Report, Magistrate Judge McCrorey recommends that "the District Court dismiss the complaint in the above-captioned case *without prejudice* and without issuance and service of process." Id. (emphasis in original). The Plaintiff has filed objections to the Report.

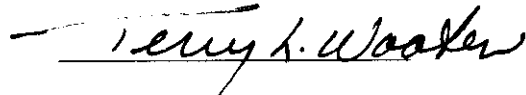
In conducting this review, the Court applies the following standard:

The magistrate judge makes only a recommendation to the Court, to which any party may file written objections...The Court is not bound by the recommendation of the magistrate judge but, instead, retains responsibility for the final determination. The Court is required to make a *de novo* determination of those portions of the report or

specified findings or recommendation as to which an objection is made. However, the Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the Report and Recommendation to which no objections are addressed. While the level of scrutiny entailed by the Court's review of the Report thus depends on whether or not objections have been filed, in either case, the Court is free, after review, to accept, reject, or modify any of the magistrate judge's findings or recommendations.

Wallace v. Housing Auth. of the City of Columbia, 791 F. Supp. 137, 138 (D.S.C. 1992) (citations omitted). In light of this standard, the Court has reviewed the Report. After careful review of the Report and objections thereto, the Court accepts the Report. (Doc. #8). Therefore, for the reasons articulated by the Magistrate Judge, it is **ORDERED** that the complaint in this case be dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.



Terry L. Wooten
United States District Judge

April 27, 2006
Florence, South Carolina